

ORDINANCE NO. O-2016-3613

AN ORDINANCE OF THE CITY OF ROUND ROCK, TEXAS, PROVIDING FOR THE DISANNEXATION OF CERTAIN HEREINAFTER-DESCRIBED TERRITORY THAT IS CURRENTLY WITHIN THE CORPORATE LIMITS OF THE CITY, TO-WIT 5.929 ACRES OF LAND; CONTRACTING THE BOUNDARY LIMITS OF ROUND ROCK SO AS TO ELIMINATE SAID TERRITORY AS PART OF THE CITY; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

WHEREAS, Section 43.145 of the Texas Local Government Code allows a home-rule municipality to disannex an area from its general-purpose boundaries by ordinance if the area is at least three contiguous acres, the area is unimproved, and the area adjoins the City's boundaries; and

WHEREAS, the City of Round Rock, a home-rule municipality, is authorized by Article I, Section 1.04 of its Municipal Charter to disannex uninhabited territory existing within the City limits which is not suitable or necessary for City purposes; and

WHEREAS, the property described in Exhibit "A", which is incorporated herein by reference for all purposes (the "Property"), is unimproved, uninhabited, and currently included within the city limits of the City of Round Rock; and

WHEREAS, the City desires to disannex the Property because it is impractical to provide water and wastewater service to the Property; Now Therefore

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROUND ROCK, TEXAS:

I.

That all of the above recitations are found to be true and correct and are incorporated into the body of this ordinance.

II.

That all of the above-referenced procedures prescribed by the Charter of the City of Round Rock, Texas, and the applicable laws of the State of Texas, have been duly followed with respect to the Property, more fully described in Exhibit "A."

III.

That the Property described in Exhibit "A," be and is hereby disannexed and eliminated as a part of the City of Round Rock, Travis and Williamson Counties, Texas; and that the boundary limits of the City be and are hereby contracted to exclude the above-described territory from within the city limits of the City of Round Rock, and the same shall hereafter be excluded from within the territorial limits of the City of Round Rock.

IV.

That the appropriate city official of the City of Round Rock is hereby directed and authorized to perform or cause to be performed all acts necessary to correct the official map of the City to eliminate the territory hereby disannexed, as required by law.

V.

That the City Clerk is hereby directed and authorized to file a certified copy of this Ordinance in the Office of the County Clerk of Williamson County, Texas, and to cause this Ordinance to be entered upon the minutes and records of the City of Round Rock.

VI.

That this Ordinance shall be come effective after its passage.

VII.

If any section, subsection, sentence, phrase, or word of this Ordinance be found to be illegal, invalid or unconstitutional or if any portion of said properties is incapable of being annexed by the City, for any reason whatsoever, the adjudication shall not affect any other section, sentence, phrase, word, paragraph or provision of this Ordinance or the application of any other section, sentence, phrase, word, paragraph or provision of any other ordinance of the City. The City Council declares that it would have adopted the valid portions and applications of this Ordinance and would have annexed the valid property without the invalid part, and to this end the provisions of this Ordinance are declared to be severable.

VIII.

A. All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

B. The invalidity of any section or provision of this Ordinance shall not invalidate other sections or provisions thereof.

C. The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this Ordinance and the subject matter thereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

READ and **APPROVED** on first reading on this the _____ day of _____, 2016.

READ, PASSED, and ADOPTED on second reading this the _____ day of _____, 2016.

ALAN MCGRAW, Mayor
City of Round Rock, Texas

ATTEST:

SARA L. WHITE, City Clerk

EXHIBIT "A"

Parcel 1

Being 4.819 acres of land situated in Williamson and Travis Counties, Texas, out of the William Barker Survey No. 74, Abstract No. 107, in Williamson and Travis Counties, Texas, and being described in Special Warranty Deed with Vendor's Lien to CCI-Pflugerville I, LP, dated May 14, 2015, and recorded as Document No. 2015040299 of the Official Records of Williamson County, Texas and recorded as Document No. 2015077437 of the Official Records of Travis County, Texas.

Travis Central Appraisal District Property ID: 820818

Williamson Central Appraisal District Property ID: R374726

Parcel 2

Being 1.11 acres of land situated in Williamson County, Texas, out of the William Barker Survey, Abstract No. 107, and being described in a Special Warranty Deed to JMB Commercial Property Investments, LP, dated January 29, 2013, and recorded as Document No. 2013019096 of the Official Records of Williamson County, Texas.

Williamson Central Appraisal District Property ID: R516949